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FEDERAL COMMUNICATIONS COMMISSION
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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of

Administration of the North
American Numbering Plan

To: The Commission

CC Docket No. 92-237

REPLY COMMENTS OF FLEET CALL, INC.

FLEET CALL, INC.

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February 24, 1993

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I. INTRODUCTION AND BACKGROUND

Fleet Call, Inc. ("Fleet Call"), respectfully files this Reply to Comments filed on the Federal Communications Commission's (the "Commission") Notice of Inquiry ("NOI") concerning future administration of the North American Numbering Plan ("NANP").

Fleet Call is one of the largest licensees and operators of Specialized Mobile Radio ("SMR") systems in the United States. It provides dispatch, interconnected and ancillary mobile communications services to approximately 140,000 end users on both 800 MHz and 900 MHz SMR systems.

Moreover, on February 13, 1991, the Commission authorized Fleet Call to construct Enhanced Specialized Mobile Radio ("ESMR") systems in Chicago, Dallas, Houston, Los Angeles, New York and San Francisco.^{1/} These ESMR systems will combine state-of-the art digital multiplexing technology with a low power multiple base

^{1/} In re Request of Fleet Call, Inc. for Waiver and Other Relief to Permit Creation of Enhanced Specialized Mobile Radio Systems in Six Markets, 6 FCC Rcd 1533 (1991), recon. den. 6 FCC Rcd 6989 (1991).

station architecture to increase by more than 15 times the capacity of Fleet Call's existing SMR systems in each market and provide improved transmission quality and enhanced services. Fleet Call's first ESMR system in Los Angeles will be operational in the summer of 1993 followed by San Francisco in early 1994.

Fleet Call's ESMR networks will provide customers with an integrated package of fleet dispatch, mobile telephone service interconnected with the public switched telephone network, paging services and mobile data communications capabilities. As the pioneering developer of advanced, digital ESMR communications systems, Fleet Call has an interest in the Commission's NOI concerning NANP administration and numbering resources for mobile communications services and therefore files these Reply Comments.

II. FLEET CALL SUPPORTS PROPOSALS FOR REFORMING NANP ADMINISTRATION

A broadly-based group of commenters advocates transferring NANP policy-making and implementation functions from Bellcore to a different entity or entities representative of all communications providers affected by the allocation and use of NANP resources.^{2/} They contend that because the Bell Operating Companies ("BOCs") own and finance Bellcore, there is both the appearance of and actual conflicts of interest between Bellcore as the NANP Administrator ("NANPA") and the numbering plan requirements of communications providers that compete with the BOCs or their affiliates. The

^{2/} Mobile carriers, interexchange carriers, state regulators, and competitive access providers supported transferring NANP policy-making and administrative functions from Bellcore.

incidence of such conflicts will be exacerbated as new communications providers, e.g., ESMR operators and Personal Communications Services ("PCS") companies among others, enter the marketplace in response to technological breakthroughs and new spectrum allocations.

Fleet Call agrees that the NANP policy-making process must be open and responsive to all affected industry segments.^{3/} Maintaining the status quo would continue the ongoing erosion of industry trust in NANP administration and assignment procedures. Accordingly, Fleet Call supports in concept Telocator's plan for reforming NANP administration.^{4/}

Telocator proposes consolidating the consideration and disposition of numbering policy issues in a new NANP Policy Council open to all interested parties. This entity would be self-funding and would operate under FCC-imposed deadlines to promote timely resolution of essential issues. If agreement on a specific issue

^{3/} Teleport Communications Group ("Teleport") supports removing NANP administration from Bellcore and transferring it to an independent body controlled by and accountable to "all telecommunications common carriers offering local switched telecommunications services (emphasis added)." Comments of Teleport at pp. 2-3. Fleet Call opposes excluding any communications providers using numbering resources from NANP policy-making oversight. Teleport's failure to include private carriers offering mobile communications services competitive with other wireless offerings, and both requiring numbering resources, would perpetuate the very ills that transfer of NANP policy-making and administration is intended to cure. There is no basis for excluding private carriers or other communications providers that use NANP resources from new NANP policy oversight and administrative organizations.

^{4/} See Comments of Telocator, the Personal Communications Industry Association, at pp. 7-10.

could not be reached within the deadline, it would be referred to the Commission for expedited settlement using alternative dispute resolution procedures.

The Policy Council, with Commission participation, would select a new NANP Administrator to carry out ministerial functions including assigning NXX codes and other NANP resources, maintaining the Central Office Code Utilization Survey, and administering the Local Exchange Routing Guide and other numbering-related databases. Fleet Call endorses Telocator's suggestion of selecting the new Administrator through a competitive bidding process to assure that it is both technically proficient and capable of providing cost-effective, responsive services.

A. A Mandated Transition Period Will Assure Effective Transfer of the NANPA's Administrative Expertise and Prevent Unnecessary Delay in Implementing Additional Numbering Plan Resources

Commenters, primarily Local Exchange Carriers ("LECs"), arguing against transferring NANP policy-making and administration functions raise two primary concerns.^{5/} First, they assert that a new administrative entity would lack Bellcore's substantial experience and expertise in NANP implementation. This is easily addressed by requiring a transition period during which Bellcore and the new Administrator would work together to achieve a smooth transfer of expertise and operations.

Second, some of the LEC commenters call for Bellcore to retain the NANP administrative function until 1996 to prevent complicating

^{5/} See e.g., Comments of Ameritech at p. 2; Comments of Bell Atlantic at p. 1; Comments of Pacific Telesis Group at p. 4.

or interfering with the introduction of interchangeable NPA codes (INPAs) on January 1, 1995 or expanded Feature Group D Carrier Identification Codes. In Fleet Call's view, a reformed NANP Policy Council, with participation by representatives of all affected parties and the Commission, could more efficiently and effectively decide the remaining unresolved policy issues pertaining to these matters. Moreover, members of the proposed Policy Council would likely send the same representatives to the Council as currently attend NANP working groups -- thus preserving existing expertise, "institutional memory" and providing continuity.

On balance, the public interest would be served by transferring NANP policy-making and code assignment duties from Bellcore and the LECs to new organizations open to all communications industry participants affected by numbering plan resources. The transfer process should not be unduly delayed so that these organizations can take responsibility for the critical long-term numbering policy decisions that must be made over the next few years.

III. THE COMMISSION SHOULD STATE THAT ALL MOBILE COMMUNICATIONS PROVIDERS ARE ELIGIBLE TO OBTAIN BOTH EXISTING AND FUTURE NON-GEOGRAPHIC NUMBERS ON A NON-DISCRIMINATORY BASIS

Fleet Call strongly supports Telocator's request that the Commission clarify that all mobile service providers are eligible to request "PCS" N00-NXX codes and non-geographic INPAs on a non-discriminatory basis.^{6/} Bellcore's second edition of the draft

^{6/} See Telocator Comments at p. 11. As Fleet Call understands it, this issues arises because the NANPA initially planned to
(continued...)

long-term numbering plan does not explicitly state that all mobile communications providers may obtain non-geographic numbers within a mobile communications Service Access Code ("SAC").^{7/} This requires Commission clarification.

As noted above, Fleet Call's ESMR systems will offer integrated dispatch, mobile telephone, paging and mobile data communications services in six of the largest markets in the country. Moreover, Fleet Call is committed to creating a seamless, nationwide digital ESMR network.^{8/} Non-discriminatory access to a mobile communications SAC and other numbering resources is necessary to prevent numbering implementation from impacting the development of enhanced SMR services.^{9/} It is imperative that

^{6/}(...continued)
develop a SAC exclusively for PCS -- possibly excluding existing mobile communications providers. The Commission, however, has broadly defined PCS as a "family" of communications services including existing mobile communications services such as paging, cellular, SMR and ESMR, as well as new personal communications offerings at 2 GHz. See Amendment of the Commission's Rules to Establish New Personal Communications Services, Gen. Docket No. 90-314, 7 FCC Rcd 5676 (1992). The requested clarification raises no new policy issues and should be issued expeditiously.

^{7/} See North American Numbering Plan Administrator's Proposal on the Future of Numbering in World Zone 1, Second Edition, January 4, 1993 (the "Future Numbering Proposal").

^{8/} Toward this end, Fleet Call has announced a planned merger with Dispatch Communications, Inc. to enlarge its service areas in the East and West Coasts and the Midwest. Fleet Call is also a member of the Digital Mobile Roaming Consortium through which Fleet Call and other SMR systems are developing a digital SMR roaming capability throughout much of the country.

^{9/} See Comments of the Cellular Telecommunications Industry Association ("CTIA") supporting the equal rights of all service providers to request and obtain numbering plan resources. Comments of CTIA at p. 4.

the design and use of numbering plan resources and services be impartial in meeting the combined interests of users and the entire telecommunications sector.^{10/} As Bellcore itself states, "No segment of the industry should be either advantaged or disadvantaged by the design or administration of the NANP."^{11/}

Accordingly, Fleet Call respectfully requests that the Commission expressly state that all mobile communications providers are eligible to request and be assigned "PCS" N00-NXX codes and future non-geographic codes on a non-discriminatory basis.

IV. CONCLUSION

Fleet Call supports transferring NANP policy-making and implementation responsibilities to a new entity responsive to the interests of all segments of the communications industry affected by numbering resource availability and policies. The Commission should move expeditiously to issue a Notice of Proposed Rulemaking to accomplish this result. In addition, the Commission should expeditiously clarify that all mobile communications service

^{10/} See Future Numbering proposal at p. 10.

^{11/} Ibid.

providers have non-discriminatory access to obtain existing and future geographic and non-geographic numbers.

Respectfully submitted,

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CERTIFICATE OF SERVICES

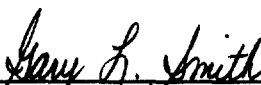
I hereby certify that a copy of the foregoing Comments of Fleet Call, Inc. has been mailed by United States first class mail, postage prepaid, this 24th day of February 1993, to the following:

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